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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,826	12/02/2003	John B. Amundson	H0005444-9950 (1161.11401)	3578
90545	7590	12/30/2009	EXAMINER	
KASENGE, CHARLES R				
ART UNIT			PAPER NUMBER	
2121				
MAIL DATE			DELIVERY MODE	
12/30/2009			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Allowability**Application No.**

10/725,826

Examiner

CHARLES R. KASENGE

Applicant(s)

AMUNDSON ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed 9/24/09.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Charles R Kasenge/
Primary Examiner, Art Unit 2121

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Tufte on 12/18/09.

2. The application has been amended as follows:

1. (Currently Amended) A method of accessing a schedule on an HVAC controller having coupled to a user interface, wherein the HVAC controller is configured to directly communicate with and control one or more pieces of HVAC equipment in accordance with a programmable schedule, the method comprising the steps of:

manually initiating a schedule review mode within the HVAC controller, said schedule review mode permitting viewing access only and not permitting editing access to at least two schedule parameters in the schedule,

while in the schedule review mode, manually selecting via the user interface of the HVAC controller any of the two or more schedule parameters;

in response to the manually selecting step, displaying the manually selected schedule parameters via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface of the HVAC controller; and-

exiting the schedule review mode; and

operating the HVAC controller in accordance with the schedule.

2. (Currently Amended) The method of claim 1, further comprising ~~the steps of:~~
initiating an editing mode within the HVAC controller; and

while in the editing mode, modifying at least one schedule parameter of the schedule resulting in a modified schedule, wherein the schedule review mode must be exited before the editing mode is initiated; and
operating the HVAC controller in accordance with the modified schedule.

3. (Original) The method of claim 2, wherein the step of initiating the schedule review mode occurs prior to the step of initiating the editing mode.

4. (Previously presented) The method of claim 1, wherein said schedule includes at least two time periods, with one or more schedule parameters corresponding to each of the at least two time periods, at least one of the time periods corresponding to a wake period, a leave period, a return period, or a sleep period.

5. (Previously presented) The method of claim 1, wherein said two or more schedule parameters includes one or more of an event time parameter, a heat set point parameter, a cool set point parameter, a fan mode parameter, and a humidity level parameter.

6. (Currently Amended) The method of claim 1, wherein the user interface of the HVAC controller comprises a touch screen.

7. (Currently Amended) The method of claim 1, wherein the user interface of the HVAC controller comprises a display panel and keypad.

8. (Currently Amended) The method of claim 1, wherein the user interface of the HVAC controller is a menu-driven interface.

9. (Original) The method of claim 1, wherein said schedule is a heating schedule.

10. (Original) The method of claim 1, wherein said schedule is a cooling schedule.

11. (Original) The method of claim 1, wherein said schedule is a venting schedule.

12. (Currently Amended) The method of claim 1, wherein said controller is an HVAC thermostat mountable to a wall of a building or other structure controller.

Allowable Subject Matter

3. Claims 1-13 are allowed.

4. The following is an examiner's statement of reasons for allowance: the prior art of record does not disclose manually initiating a schedule review mode within the HVAC controller, said schedule review mode permitting viewing access only and not permitting editing access to at least two schedule parameters in the schedule, while in the schedule review mode, manually selecting via the user interface of the HVAC controller any of the two or more schedule parameters; in response to the manually selecting step, displaying the manually selected schedule parameters via the user interface without first having to wait for other schedule parameters to be automatically sequentially displayed on the user interface of the HVAC controller, wherein the HVAC controller is configured to directly communicate with and control one or more pieces of HVAC equipment in accordance with a programmable schedule. The allowability, at least in part, resides in these facts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES R. KASENGE whose telephone number is (571)272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on 571 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CK
December 21, 2009

/Charles R Kasenge/
Primary Examiner, Art Unit 2121